IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE S. ANANDA REDDY

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WRIT PETITION NO : 13976 of 2004

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Date: 06.12.2005

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Between:

Sri Venkateswara Urban and Rural Development Society

Represented by its President, V. Narayana, S/o.V.C. Subbanna,

H.No.3/9/143-3, Srirama Hills, Sri Ramnagar, Mansurabad,

Saroornagar Mandal, R.R. District.

..... PETITIONER

AND

1 The National Scheduled Tribe Finance Development Corporation (NSTFDC), New Delhi and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE S. ANANDA REDDY

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WRIT PETITION NO : 13976 of 2004

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ORDER:

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This writ petition is filed by the petitioner society aggrieved by the inaction of the respondents' especially sixth respondent in considering the applications of the members of the petitioner society and forwarding the same to the fifth respondent, who in turn has to forward to the third respondent, who would send them to the Central Government for grant of financial assistance by way of loan.

The grievance of the petitioner society is that the applications made by the members of it were presented to the sixth respondent during the year 2004. In spite of receiving the applications, the sixth respondent has not taken any steps to forward the same to the fifth respondent. Hence, the present writ petition.

A counter-affidavit is filed on behalf of the sixth respondent stating that the petitioner society neither followed nor understood the NSTFDC Guidelines or Economical Support Schemes guidelines while submitting the applications to his office and hence, the applications were not considered by his office.

The stand taken by the sixth respondent is unfortunate. If the members of the petitioner society have committed any omissions or commissions, they should have been directed to rectify the defects and to resubmit the applications or if they are not entitled to as per the guidelines, the said communication ought to have been given by the sixth respondent to the petitioner society to communicate the same to its members. But, the inaction of the sixth respondent on the premise that the applications are not in accordance with the guidelines, is not just and proper. Therefore, the writ petition is disposed of with the following directions:

The sixth respondent is directed to consider the applications of the petitioner society in accordance with the guidelines. If there are any deficiencies, the sixth respondent is directed to give communication to the petitioner society, within a period of two weeks from the date of receipt of a copy of this order, for rectification of the defects. The sixth respondent is further directed to forward the applications to the fifth respondent, within a period of two weeks, after resubmission of the applications, if any. The sixth respondent is further directed to comply with the directions of this Court with reference to the applications of the members of the petitioner society.

The writ petition is accordingly disposed of. No costs.

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(S. Ananda Reddy, J)

Date: 06.12.2005

Note: Furnish CC in 3 days

B/o

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